

## **CC Docket No. 94-102 – September 2005 E911 Interim Report**

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**Date:** September 2005

**To:** Marlene H. Dortch, Secretary  
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### **By Electronic Submission:**

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**TIER III CARRIER INTERIM REPORT**  
**September 2005**  
**CC Docket No. 94-102**

Commnet Four Corners, L.L.C. ("CFC") hereby submits its E911 Interim Report, pursuant to *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Phase II Compliance Deadlines for Non-Nationwide CMRS Carriers*, CC Docket No. 94-102, Order, 20 FCC Rcd 7709, 7771 ¶172 (2005) ("Order").

**Carrier Identifying Information:**

**Carrier Name:** Commnet Four Corners, L.L.C. – FRN 0009-5728-84

**E911 Compliance Officer:** Petr Valkoun  
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**E911 Implementation Information:**

CFC is operating as a "carriers' carrier", *i.e.*, CFC serves only the customers of other carriers. Thus, CFC has no subscribers and will not have any subscribers. Based on this premise, CFC hereby reports as follows:

- CFC is operating wireless broadband PCS systems in unserved areas in Arizona, Colorado and New Mexico. CFC has not received any Phase I or Phase II requests from any PSAPs in any of its markets. CFC has obtained and installed all of the equipment and software necessary to meet any Phase I request it may receive from a PSAP, but will have to work with a local exchange carrier ("LEC") to have a landline installed between the switch and a requesting PSAP for Phase I deployment when the time comes. It could take a LEC as long as 12 or even 18 months to install a new landline in the rural areas where CFC is operating.

CFC has no subscribers, thus CFC does not have the means to fund any Phase I or Phase II implementation and recurring costs via pass-throughs to subscribers. Because CFC has not yet received any Phase I or Phase II requests, it has not yet explored the availability of any state or local cost recovery programs for E-911 implementation, with one exception. CFC anticipates receiving a Phase I request in the near future from a PSAP in its New Mexico market, and is exploring the availability of any state or local cost recovery programs for E-911 implementation in that state. The State of New Mexico has a cost recovery program; there are no cost recovery programs available on the local level (*e.g.*, by county or PSAP). CFC has been in contact with a representative from the State of New Mexico Department of Finance and Administration Local Government Division ("Division"), which administers the cost recovery program, and is currently reviewing the Division's Cost Recovery Guidelines. CFC also received and is reviewing a draft of the CMRS Carrier Service Agreement, which CFC must enter into with the requesting PSAP as a prerequisite to applying for cost recovery from the Division.

- CFC elected a handset-based solution for Phase II E-911. CFC is using analog and TDMA technology at all of its cell sites and is in the process of adding GSM overlays to several of its cells sites, to meet the demands of its roaming customers. CFC continues to anticipate a significant problem with its Phase II E-911 deployment. There is currently no Phase II-compliant handset-based solution available for TDMA or GSM technology, and it appears from all available market information that one will not become available any time in the near future.
- Moreover, as previously reported, CFC is unable to switch to a network-based solution, because it is technically impossible. The only Phase II-compliant network-based solutions available are based on either triangulation techniques, which can work only when the network is receiving location information on the involved mobile unit from three different cell sites, or angle of arrival techniques (“AOA”), which can work only when the network is receiving location information from at least two different cell sites.

CFC operates only in remote, rural areas where population density is low and the cell sites are spread far apart. With the exception of one of CFS’s markets where there is overlap among three cells<sup>1</sup>, there is little overlap between two cells and no overlap among three cells within any of CFC’s markets. Thus, only small portions of CFC’s service areas are susceptible to either triangulation or AOA techniques; the bulk of the service areas are not susceptible to such techniques. Therefore, even if CFC were to implement Phase II E-911, it would never be able to reach the required 95% accuracy level on a system-wide basis in any of its markets, as prescribed by §20.18 of the Commission’s rules. CFC has a request pending with the Commission for a permanent waiver of the Phase II requirements.

- For the reasons discussed above pertaining to the permanent absence of any available Phase II TDMA and GSM handsets and the impossibility of employing a network-based solution, both of which are beyond CFC’s control, CFC does not anticipate that full Phase II service will be available in its network any time in the near future. CFC is continuing to monitor the marketplace for new technology that will provide adequate Phase II E-911 service to rural markets.
- With regard to meeting the ultimate implementation date of December 31, 2005, see above.

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<sup>1/</sup> CFC is currently in negotiations with a major carrier for acquisition of this market by said carrier.